

REMARKS

A *Notice of Non-Compliant Amendment* dated July 2, 2008, indicated that Claim 11 was not provided with a proper identifier. Review of page 11 of the Amendment filed on May 15, 2008, revealed that the identifier provided with Claim 11 indicated that the claim was an “Original” claim, despite the word “the” being deleted, as shown in redline in Claim 11. It is noted that the summary of amendments provided at page 24 of the Amendment filed on May 15, 2008, correctly identified Claim 11 as being among the amended claims.

This response to the *Notice* resubmits all amendments made in the May 15th Amendment, with the identifier for Claim 11 changed to “Currently Amended.” The Examiner’s courtesies in accepting this response to the *Notice* are gratefully acknowledged.¹

In the Office Action dated February 15, 2008, to which the May 15th Amendment responded, the textual portion of the specification was objected to as being replete with grammatical and idiomatic errors. Claims 4 and 8 were also objected to for various informalities. The Office Action also rejected the pending claims as follows. Claims 1, 5, 6, 8, 9, 10 and 18-21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; and Claims 1-21 were rejected under 35 U.S.C.

¹ The May 15th Amendment was not an after-final amendment and was not filed after allowance. Accordingly, since this response is filed within one month of the Notice, it is believed that no additional fee is required. In the event that an extension of time is required, please treat this paper as a petition to extend the time and charge any such fee, as well as any deficiency or other fee(s) that may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of

§ 102(e) as being anticipated by U.S. Patent No. 6,684,081 to Sarkkinen et al.

The Specification, the Abstract and Claims 1-10, 11-17 and 20 have been amended. Claims 18, 19 and 21 have been cancelled. No new matter is presented.

In response to the rejection under 35 U.S.C. § 112, second paragraph, the Specification and claims have been amended, as shown on the enclosed Substitute Specification. It is believed that the amendments overcome the rejection under 35 U.S.C. § 112, second paragraph.

Sarkkinen et al. is cited in the Office Action as anticipating each pending claim. An anticipation rejection requires that a single cited reference disclose each and every recitation of each rejected claim. For at least the following reasons, the rejection must be withdrawn.

In regard to Claim 1, the Examiner states that Sarkkinen et al. allegedly discloses a service announcement message that includes "sending times and sending time duration as parameters." (Office Action, page 6.) However, neither the cited portion nor elsewhere does Sarkkinen et al. include such disclosure, and Sarkkinen et al. fails to disclose or suggest at least the recitation of wherein said request includes sending times and sending time duration as parameters of Claim 1.

In regard to Claim 10, the Examiner cites Sarkkinen et al. as allegedly disclosing a UTRAN that "arranges time for scheduling." (Office Action, page 15.) However, neither the cited portion nor elsewhere does Sarkkinen et al. include such disclosure, and Sarkkinen et al. fails to disclose or suggest at least the recitation of arranging by the UTRAN of a sending time of a MBMS notification message.

this application, to Deposit Account No. 50-4053.

The Examiner further states that "Claim 15 has similar limitations of Claim 10" and rejected Claim 15 "under the same rationale as in Claim 10 above." (Office Action, page 18.) Accordingly, for at least the above reason, the rejection of Claim 15 must be withdrawn.

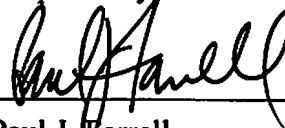
In regard to Claim 20, the Examiner cites Sarkkinen et al. as allegedly disclosing UTRAN "and the apparatuses in core network co-establish network resources." (Office Action, page 21.) However, contrary to an alleged co-establishing, the invention of Claim 20 *co-releases* network resources, which is not disclosed in Sarkkinen et al.

For at least the above reasons, it is respectfully submitted that all pending claims herein, namely Claims 1-17 and 20, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, it is requested that the Examiner contact Applicant's attorney at the below number.

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Respectfully submitted,



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Enclosures: Substitute Specification, with redline; and
 Substitute Specification, with redline accepted